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NEW YORK, NY 10112

EXAMINER
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VU, NGOC K

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 01/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/371,537

Applicant(s)

SUDA ET AL.

Examiner

Ngoc K. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 22-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-43 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 25, 26 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 25 is misdescriptive and rendered the claim indefinite. In part, claim 25 recites the communication apparatus comprising three distinct elements "a conversion unit", "decoding unit", and "encoding unit". However, according the specification and figure 42B, the "decoding unit", i.e., 222, and "encoding unit", i.e., 223, equate to the "conversion unit" because they perform video conversion in such first encoded video data is converted (i.e., decoded and then encoded) into second encoded video data. On the other hand, the "decoding unit" and "encoding unit" are not separate from "conversion unit". Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 22, 25, 28, 31, 34, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuyama et al. (US 6,157,650 A) in view of Kawamura et al. (US 6,453,110 B1).

Regarding **claim 22**, Okuyama discloses a communication system (see figure 1) comprising:

- a first apparatus (d) in a radio transmission network (see figure 1);
- a second apparatus (a/b) in a line transmission network (see figure 1); and
- a communication apparatus (c - see figure 1) is arranged to communicate with the first apparatus (d), and is arranged to communicate with the second apparatus (a/b) (see col. 4, line 61 to col. 5, line 4),

wherein the apparatus (c) includes a first communication unit (2, 2a - see figures 2 and 4), a conversion unit (5, 5a, 6 and 6a - see figures 2 and 4), and a second communication unit (1, 1a - see figures 2 and 4),

wherein the first communication unit (2, 2a - see figures 2 and 4) is adapted to receive first processed data from the first apparatus (for example, the unit 2, 2a receives the data from apparatus d processed for radio communication with the apparatus c - see figures 2 and 4; col. 5, lines 21-27; col. 8, lines 14-18; col. 7, lines 26-37);

wherein the conversion unit (5, 5a, 6, 6a - see figures 2 and 4) is adapted to convert the received data into a suitable format for communication data in the line transmission network (e.g., converting the received data from radio transmission network into IEEE 1394 format for the IEEE 1394 network - see col. 7, lines 26-37; col. 8, lines 32-42 and figures 1, 2 and 4), and

wherein the second communication unit (1, 1a - see figures 2 and 4) is adapted to transmit the converted data to the second apparatus (a/b) (see col. 8, lines 11-13; col. 5, lines 7-15; and figures 1, 2 and 4).

It is noted that the teaching of Okuyama is to provide an apparatus for connecting networks, which enables two-way real time data transmission even when a network system is configured by connecting a plurality of devices connected by two different protocols of the IEEE 1394 transmission system and the radio transmission system. Okuyama further discloses that the IEEE 1394 is effective for video transmission (see col. 2, lines 15-22 and 33-39; col. 3, lines 28-41).

Okuyama does not explicitly disclose a decoding unit to decode first encoded video data into video data and an encoding unit to encode the video data into second encoded video data.

However, Kawamura discloses that a reproducing apparatus comprises a video decoder 42 for decoding the encoded video data and a video encoder 45 for encoding the decoded video data supplied from the decoder 42. The video data encoded into the signal format of DVCR or MPEG2-TS and supplies the encoded video data to an I/F 10 for transmitting to an output device (see col. 5, lines 1-38 and figure 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Okuyama by including a decoding unit for decoding the encoded video data and an encoding unit for encoding the decoded video data as disclosed by Kawamura in order to accommodate multiple video formats for multiple user devices.

Regarding **claim 25**, Okuyama discloses a communication apparatus (c - see figure 1) that is arranged to communicate with a first apparatus (d) in a radio transmission network (see figure 1) and is arranged to communicate with a second apparatus (a/b) in a line transmission network (see figure 1), the communication apparatus (c) comprising:

a first communication unit (2, 2a - see figures 2 and 4) adapted to receive first processed data from the first apparatus (for example, the unit 2, 2a receives the data from apparatus d

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processed for radio communication with the apparatus c – see figures 2 and 4; col. 5, lines 21-27; col. 8, lines 14-18; col. 7, lines 26-37);

a conversion unit (5, 5a, 6, 6a – see figures 2 and 4) is adapted to convert the received data into a suitable format for communication data in the line transmission network (e.g., converting the received data from radio transmission network into IEEE 1394 format for the IEEE 1394 network – see col. 7, lines 26-37; col. 8, lines 32-42 and figures 1, 2 and 4); and

a second communication unit (1, 1a – see figures 2 and 4) is adapted to transmit the converted data to the second apparatus (a/b) (see col. 8, lines 11-13; col. 5, lines 7-15; and figures 1, 2 and 4).

It is noted that the teaching of Okuyama is to provide an apparatus for connecting networks, which enables two-way real time data transmission even when a network system is configured by connecting a plurality of devices connected by two different protocols of the IEEE 1394 transmission system and the radio transmission system. Okuyama further discloses that the IEEE 1394 is effective for video transmission (see col. 2, lines 15-22 and 33-39; col. 3, lines 28-41).

Okuyama does not explicitly disclose decoding unit to decode first encoded video data into video data and encoding unit to encode the video data into second encoded video data.

However, Kawamura discloses that a reproducing apparatus comprises a video decoder 42 for decoding the encoded video data and a video encoder 45 for encoding the decoded video data supplied from the decoder 42. The video data encoded into the signal format of DVCR or MPEG2-TS and supplies the encoded video data to an I/F 10 for transmitting to an output device (see col. 5, lines 1-38 and figure 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Okuyama by including a decoding unit for decoding the encoded video data and an encoding unit for

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encoding the decoded video data as disclosed by Kawamura in order to accommodate multiple video formats for multiple user devices.

Regarding **claim 28**, Okuyama discloses a communication method for a communication apparatus (c - see figure 1) that is arranged to communicate with a first apparatus (d) in a radio transmission network (see figure 1) and is arranged to communicate with a second apparatus (a/b) in a line transmission network (see figure 1), the communication method comprising the steps of:

receiving first processed data from the first apparatus (for example, the unit 2, 2a receives the data from apparatus d processed for radio communication with the apparatus c – see figures 2 and 4; col. 5, lines 21-27; col. 8, lines 14-18; col. 7, lines 26-37);

converting the received data into a suitable format for communication data in the line transmission network (e.g., converting the received data from radio transmission network into IEEE 1394 format for the IEEE 1394 network – see col. 7, lines 26-37; col. 8, lines 32-42 and figures 1, 2 and 4); and

transmitting the converted data to the second apparatus (a/b) (see col. 8, lines 11-13; col. 5, lines 7-15; and figures 1, 2 and 4).

It is noted that the teaching of Okuyama is to provide an apparatus for connecting networks, which enables two-way real time data transmission even when a network system is configured by connecting a plurality of devices connected by two different protocols of the IEEE 1394 transmission system and the radio transmission system. Okuyama further discloses that the IEEE 1394 is effective for video transmission (see col. 2, lines 15-22 and 33-39; col. 3, lines 28-41).

Okuyama does not explicitly disclose decoding first encoded video data into video data and encoding the video data into second encoded video data.

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However, Kawamura discloses that a reproducing apparatus comprises a video decoder 42 for decoding the encoded video data and a video encoder 45 for encoding the decoded video data supplied from the decoder 42. The video data encoded into the signal format of DVCR or MPEG2-TS and supplies the encoded video data to an I/F 10 for transmitting to an output device (see col. 5, lines 1-38 and figure 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Okuyama by decoding the encoded video data and encoding the decoded video data as disclosed by Kawamura in order to accommodate multiple video formats for multiple user devices.

Regarding **claim 31**, Okuyama discloses a communication system (see figure 1) comprising:

- a first apparatus (d) in a radio transmission network (see figure 1);
- a second apparatus (a/b) in a line transmission network (see figure 1); and
- a communication apparatus (c - see figure 1) is arranged to communicate with the first apparatus (d), and is arranged to communicate with the second apparatus (a/b) (see col. 4, line 61 to col. 5, line 4),

wherein the apparatus (c) includes a first communication unit (2, 2a - see figures 2 and 4), a conversion unit (5, 5a, 6 and 6a - see figures 2 and 4), and a second communication unit (1, 1a - see figures 2 and 4),

wherein the second communication unit (1, 1a - see figures 2 and 4) is adapted to receive second processed data from the second apparatus (for example, the unit 1, 1a receives the data from apparatus a/b processed for IEEE 1394 communication with the apparatus c - see figures 2 and 4; col. 5, lines 7-14; col. 8, lines 11-13);

wherein the conversion unit (5, 5a, 6, 6a - see figures 2 and 4) is adapted to convert the received data into a suitable format for communication data in the radio transmission network



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(e.g., converting the received data from IEEE 1394 transmission network into suitable format in radio network – see col. 5, line 54 to col. 6, line 9; col. 8, lines 31-42; and figures 1, 2 and 4), and

wherein the first communication unit (2, 2a – see figures 2 and 4) is adapted to transmit the converted data to the first apparatus (d) (see col. 6, lines 3-9; col. 8, lines 14-18; col. 7, lines 14-21; and figures 1, 2 and 4).

It is noted that the teaching of Okuyama is to provide an apparatus for connecting networks, which enables two-way real time data transmission even when a network system is configured by connecting a plurality of devices connected by two different protocols of the IEEE 1394 transmission system and the radio transmission system. Okuyama further discloses that the IEEE 1394 is effective for video transmission (see col. 2, lines 15-22 and 33-39; col. 3, lines 28-41).

Okuyama does not explicitly disclose decoding unit to decode second encoded video data into video data and encoding unit to encode the video data into first encoded video data.

However, Kawamura discloses that a reproducing apparatus comprises a video decoder 42 for decoding the encoded video data and a video encoder 45 for encoding the decoded video data supplied from the decoder 42. The video data encoded into the signal format of DVCR or MPEG2-TS and supplies the encoded video data to an I/F 10 for transmitting to an output device (see col. 5, lines 1-38 and figure 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Okuyama by including a decoding unit for decoding the encoded video data and an encoding unit for encoding the decoded video data as disclosed by Kawamura in order to accommodate multiple video formats for multiple user devices.

Regarding **claim 34**, Okuyama discloses a communication apparatus (c - see figure 1) that is arranged to communicate with a first apparatus (d) in a radio transmission network (see figure 1) and is arranged to communicate with a second apparatus (a/b) in a line transmission network (see figure 1), the communication apparatus (c) comprising:

a second communication unit (1, 1a – see figures 2 and 4) is adapted to receive second processed data from the second apparatus (for example, the unit 1, 1a receives the data from apparatus a/b processed for IEEE 1394 communication with the apparatus c – see figures 2 and 4; col. 5, lines 7-14; col. 8, lines 11-13);

a conversion unit (5, 5a, 6, 6a – see figures 2 and 4) is adapted to convert the received data into a suitable format for communication data in the radio transmission network (e.g., converting the received data from IEEE 1394 transmission network into suitable format in radio network – see col. 5, line 54 to col. 6, line 9; col. 8, lines 31-42; and figures 1, 2 and 4), and

a first communication unit (2, 2a – see figures 2 and 4) is adapted to transmit the converted data to the first apparatus (d) (see col. 6, lines 3-9; col. 8, lines 14-18; col. 7, lines 14-21; and figures 1, 2 and 4).

It is noted that the teaching of Okuyama is to provide an apparatus for connecting networks, which enables two-way real time data transmission even when a network system is configured by connecting a plurality of devices connected by two different protocols of the IEEE 1394 transmission system and the radio transmission system. Okuyama further discloses that the IEEE 1394 is effective for video transmission (see col. 2, lines 15-22 and 33-39; col. 3, lines 28-41).

Okuyama does not explicitly disclose decoding unit to decode second encoded video data into video data and encoding unit to encode the video data into first encoded video data.

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However, Kawamura discloses that a reproducing apparatus comprises a video decoder 42 for decoding the encoded video data and a video encoder 45 for encoding the decoded video data supplied from the decoder 42. The video data encoded into the signal format of DVCR or MPEG2-TS and supplies the encoded video data to an I/F 10 for transmitting to an output device (see col. 5, lines 1-38 and figure 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Okuyama by including a decoding unit for decoding the encoded video data and an encoding unit for encoding the decoded video data as disclosed by Kawamura in order to accommodate multiple video formats for multiple user devices.

Regarding **claim 37**, Okuyama discloses a communication method for a communication apparatus (c - see figure 1) that is arranged to communicate with a first apparatus (d) in a radio transmission network (see figure 1) and is arranged to communicate with a second apparatus (a/b) in a line transmission network (see figure 1), the communication method comprising the steps of:

receiving second processed data from the second apparatus (for example, the unit 1, 1a receives the data from apparatus a/b processed for IEEE 1394 communication with the apparatus c – see figures 2 and 4; col. 5, lines 7-14; col. 8, lines 11-13);

converting the received data into a suitable format for communication data in the radio transmission network (e.g., converting the received data from IEEE 1394 transmission network into suitable format in radio network – see col. 5, line 54 to col. 6, line 9; col. 8, lines 31-42; and figures 1, 2 and 4), and

transmitting the converted data to the first apparatus (d) (see col. 6, lines 3-9; col. 8, lines 14-18; col. 7, lines 14-21; and figures 1, 2 and 4).

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It is noted that the teaching of Okuyama is to provide an apparatus for connecting networks, which enables two-way real time data transmission even when a network system is configured by connecting a plurality of devices connected by two different protocols of the IEEE 1394 transmission system and the radio transmission system. Okuyama further discloses that the IEEE 1394 is effective for video transmission (see col. 2, lines 15-22 and 33-39; col. 3, lines 28-41).

Okuyama does not explicitly disclose decoding second encoded video data into video data and encoding the video data into first encoded video data.

However, Kawamura discloses that a reproducing apparatus comprises a video decoder 42 for decoding the encoded video data and a video encoder 45 for encoding the decoded video data supplied from the decoder 42. The video data encoded into the signal format of DVCR or MPEG2-TS and supplies the encoded video data to an I/F 10 for transmitting to an output device (see col. 5, lines 1-38 and figure 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Okuyama by decoding the encoded video data and encoding the decoded video data as disclosed by Kawamura in order to accommodate multiple video formats for multiple user devices.

6. Claims 23, 24, 26, 27, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuyama et al. (US 6,157,650 A) in view of Kawamura et al. (US 6,453,110 B1) and further in view of Freeman et al. (US 5,579,239 A).

Regarding **claims 23, 24, 26, 27, 29 and 30**, Okuyama discloses that the second apparatus (a/b) of the line transmission system, e.g., IEEE 1394 system, adapted to receive the data from the first apparatus (d) of radio transmission system, and the IEEE 1394 is effective for video transmission (see figure 1 and col. 2, lines 15-22 and 33-39; col. 7, lines 26-34).

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Kawamura discloses transmitting the encoded video data to an output device (see col. 5, lines 31-37).

Neither Okuyama nor Kawamura explicitly teach that the first apparatus is video camera and the second apparatus is an apparatus adapted to record video data on a recording medium or to display video data.

However, Freeman teaches that a video camera 1 transmits video data over radio frequencies or cellular telephone frequencies to a host unit 3, or a playback unit 4 where it can be output to a monitor. If the video data received by the host unit 3 is for later playback, it is save in the F drive for later retrieval (see col. 2, lines 35-58; col. 4, lines 8-12 and 28-66; col. 12, lines 48-60; figure 1). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination of Okuyama and Kawamura by recording video data from a video camera on a storage or hard drive of a host unit or displaying video data from the video camera to a monitor via a playback unit as taught by Freeman to provide a quality video signal over radio/cellular frequencies for playing back.

7. Claims 32, 33, 35, 36, 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuyama et al. (US 6,157,650 A) in view of Kawamura et al. (US 6,453,110 B1) and further in view of Van Ryzin (US 6,131,130 A).

Regarding **claims 32, 33, 35, 36, 38 and 39**, Okuyama discloses that the second apparatus (a/b) of the line transmission system, e.g., IEEE 1394 system, transmits the data to the first apparatus (d) of radio transmission system, and the IEEE 1394 is effective for video transmission (see figure 1 and col. 2, lines 15-22 and 33-39; col. 7, lines 22-34). Kawamura discloses transmitting the encoded video data to an output device (see col. 5, lines 31-37).

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Neither Okuyama nor Kawamura explicitly teach that the first apparatus is adapted to record video data on a recording medium or to display video data, and the second apparatus is an apparatus adapted to reproduce video data from a recording medium.

However, Van Ryzin teaches that an apparatus 6 reproduces video data, e.g., DVD movies, from a recording medium, a wireless video monitor 10 displays the video data, e.g., DVD movies or TV program, and a wireless computer 2 connects to the apparatus 6 for receiving the video data. It is noted that the wireless computer 2 includes a storage for storing or recording the video data from the apparatus 6 such as DVD carousel (see figure 1; and col. 2, line 60 col. 3, line 36). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination of Okuyama and Kawamura by storing or recording video data on a storage of a wireless computer or displaying video data on wireless monitor, and reproducing video data from DVD carousel in a home video system as taught by Van Ryzin in order to provide a converged system which is both easy and economical to install, and to provide a common interface through which the user operates the video devices from anywhere in the home.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 703-306-5976. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 703-305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Ngoc K. Vu', with a long horizontal flourish extending to the right.

Ngoc K. Vu  
Examiner  
Art Unit 2611

December 27, 2004